



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,975	02/16/2001	Philip S. Yu	I01.010	5227

28062 7590 06/24/2004

BUCKLEY, MASCHOFF, TALWALKAR LLC
5 ELM STREET
NEW CANAAN, CT 06840

EXAMINER

ZEWDU, MELESS NMN

ART UNIT PAPER NUMBER

2683

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/784,975

Applicant(s)

YU ET AL.

Examiner

Meless N Zewdu

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 and 27-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 and 27-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment (A)

1. This action is in response to the communication filed on 4/9/04.
2. Claims 23 and 26 have been canceled in this amendment.
3. Claims 29-32 have been added in this amendment.
4. Claims 1-22, 24-25 and 27-32 are pending in this action.
5. The new title has been approved by examiner.
6. This action is final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-5, 7, 8, 16, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Camp, Jr. et al. (Camp) (US 6,070,078) in view of Bark et al. (Bark) (US 6,445,917 B1).

As per claim 1: a method of facilitating a determination of a location associated with an occurrence of an event, comprising:

determining a location of a base device, the base device being in wireless communication with a wireless device reads on '078 (see abstract; col. 2, lines 25-58).

A cellular telephone is a wireless device.

Art Unit: 2683

storing information to enable a subsequent determination of the location associated with the wireless device reads on '078 (see fig. 1, element 170; col. 2, lines 25-58; col. 4, lines 38-43). The server (170) shown in the base station can receive and store GPS generated location data relating to a cellular telephone. In other words, the server is a storage medium. But, Camp does not explicitly teach about a cellular telephone being/used as an event device, associated with occurrence of an event and transmitting the event to its base station and the base device receiving the information from the event device, as claimed by applicant. However, in a related field of endeavor, Bark teaches that a mobile station can provide event based or event driven report to a network that controls it (see col. 3, line 30-col. 4, line 40, particularly, col. 3, lines 30-60). It is obvious that a base station is part of the radio network which interfaces the mobile station's to the network at large. It is also obvious that the event based report transmitted by the mobile station is received by the base station as can be seen from fig. 1 of Bark. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Camp with that of Bark for the advantage of enabling the radio network to promptly and effectively respond to changing conditions (see col. 3, lines 21-24).

As per claim 3: the method, wherein the base device is associated with a predetermined location reads on '078 (see abstract; col. 2, lines 25-53). The coverage area of Camp's base station (fig. Element 100) is planned and predetermined.

As per claim 4: the method, wherein a plurality of base devices receive information from the event device reads on '917 (see col. 1, lines 10-24; col. 3, lines 30-44).

Art Unit: 2683

As per claim 5: the method, wherein the base device receives information from a plurality of event devices reads on '917 (see col. 1, lines 10-24; col. 3, line 61-col. 4, line 10). It is obvious that a base station can communicate with several event reporters.

As per claim 7: the method, wherein the information received from the event device comprises at least one of: (i) an event device identifier, (ii) an event identifier, (iii) an operator identifier, (iv) an indication of an event time, (v) an indication of a location, (vi) proximity information, and (vii) direction information reads on '078 (see col. 2, lines 43-53).

As per claim 8: the method, further comprising:

transmitting information to the event device reads on '917 (see col. 4, lines 11-22). Instruction is a form of information.

As per claim 16: the method, wherein the event device comprises a transaction device and the event comprises a transaction reads on '078 (see fig. 1, element 140; col. 2, lines 46-53).

As per claim 17: the method, wherein the transaction device comprises at least one of: (i) a portable computer, (ii) a personal digital assistant, (iii) a wireless telephone, (iv) a payment device, (v) an entertainment device, (vi) a game device, and (vii) a gambling device reads on '079 (see fig. 1, element 140; col. 2, lines 46-53).

As per claim 18: the method, wherein the event device comprises a competition device and the event comprises a competition event reads on '078 (see fig. 1, element 140; col. 2, lines 44-53). It is well know that a cellular telephone enables a user to play a

Art Unit: 2683

stored game or download a game program from a remote site and would have been obvious to use the cellular telephone (140) to use it in such a manner.

As per claim 19: the method, wherein the event device comprises a medical device and the event comprises a medical event reads on '078 (see fig. 1, element 140; col. 2, lines 44-53). The transceiver, processor and memory in the cellular telephone (140) can be considered as medical devices when used in the medical setting or used for exchanging medical information. In such a use, the prior art device can be considered as a medical device and the reporting as medical report/event.

As per claim 20: the method, wherein the event device comprises a security device reads on '078 (see fig. 1, element 140; col. 2, lines 44-53). Examiner believes the cellular telephone (140) includes devices for security considerations to prevent fraud or for reporting crime.

As per claim 21: the method, wherein the stored information comprises at least one of (i) a base device identifier, (ii) an event device identifier, (iii) an event identifier, (iv) an operator identifier, (v) an indication of an event time, (vi) an indication of a location, (vii) proximity information, and (viii) direction information reads on '078 (see fig. 1, element 180; col. 3, lines 50-60; col. 8, lines 14-21). An indication of location, which is at least one of the conditions called by claim 21, has been satisfied.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Camp in view of Bark, as applied to claim 1 above, and further in view of Otto et al. (Otto) (US 5,870,029).

Art Unit: 2683

As per claim 2: the method, wherein said determination of the location of the base device is performed via at least one of (i) a global positioning system device, and (ii) a wireless communication device reads on '078 (see fig. 1, elements 100, 170 and 180; col. 2, lines 25-53). But, Camp does not explicitly teach about a mobile base device/station, as claimed by applicant. However, in a related field of endeavor, Otto teaches that a base station can be made mobile or transportable (see fig. 1, block 20; col. 2, line 58-col. 3, line 25). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made modify the above references with the teaching of Otto for the advantage of closely monitoring a mobile entity (see col. 3, lines 13-18).

Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Camp in view of Bark as applied to claim 1 above, and further in view of Cannon et al. (Cannon) (US 2002/0094777 A1).

As per claim 6: But, Camp in view of Bark do not explicitly teach about the use of a Bluetooth communication device for receiving information, as claimed by applicant. However, in a related field of endeavor, Cannon teaches that a Bluetooth communication system can be connected to a GPS for receiving and providing location information and security authorization (see fig. 2, elements 102 and 106; page 2, paragraphs 0020-0033, particularly paragraph 0020; page 3, paragraphs 0035-0046). Furthermore, Cannon also teaches that virtually any device can be a Bluetooth piconet device (see page 2, paragraph 0032). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the teaching

Art Unit: 2683

of Camp in view of Bark with that of Cannon for the advantage of providing a peer-to-peer communication over a short distance of wireless communication without licensing requirements from a regulatory government authorities (see page 1, paragraphs 0006-0007).

As per claim 9: the method wherein the information transmitted to the event device comprises authorization information reads on "777 (see pages 2-3, paragraph 0033 and 0046).

Claims 10-12, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Camp in view of Bark as applied to claims 1 and 10 above, and further in view of Auerbach (US 2002/0003470 A1).

As per claim 10: but, Camp in view of Bark does not explicitly teach about a method of storing supplemental information in association with the occurrence of the event, as claimed by applicant. However, in a related field of endeavor, Auerbach teaches that a mobile vehicular base station, in addition to location data via a GPS, can store information associated with the firing of a shotgun event (see page 1, paragraph 0009; page 2, paragraphs 0021-0022; page 5, paragraphs 0099-0107). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the teachings of Camp in view of Bark with the teaching of Auerbach for the advantage determining the location of gunshots in an urban area and quicken the response time by police and emergency response personnel (see page 1, paragraphs 0004 and 0005

As per claim 11: the method wherein the supplemental information comprises at least one of: (i) audio information, and (ii) image information reads on '470 (see page 1, paragraph 0009; page 2, paragraphs 0021-0022; page 5, paragraph 0103).

As per claim 12: the method, wherein the supplemental information comprises at least one of: (i) orientation information, (ii) directional information, (iii) velocity information, (iv) acceleration information, and (v) altitude information reads on '470 (see page 5, paragraphs 0100-0107).

As per claim 14: the method, wherein the event device comprises a weapon and the event comprises a discharge of the weapon reads on '470 (see page 1, paragraph 0009).

As per claim 15: the method, wherein the base device is associated with an automobile reads on '470 (see fig. 6, element 2; page 1, paragraph 0009; page 5, paragraphs 0100-0103).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Camp in view of Bark, as applied to claim 1 above and further in view of Bandera et al. (Bandera) (US 6,332,127 B1).

As per claim 13: but, Camp in view of Bark does not explicitly teach about a method wherein encrypted information is exchanged between the base device and the event device, as claimed by applicant. However, in a related field of endeavor, Bandera teaches that encrypting and decrypting electronic information being exchanged between computing or (transmitting and receiving devices) devices is well understood in the art wherein the medium can be infrared, wire line, or wireless (see fig. 8; col. 9, line 49-col.

Art Unit: 2683

10, line 20, particularly, col. 9, line 66-col. 10, line 14). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the teaching of Camp in view of Bark by that of Bandera for the advantage of securing the content of communication information since to do so is well known/understood in the art as taught by Bandera.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Auerbach in view of Cannon.

As per claim 22: a computer-implemented method of monitoring a discharge of a weapon, comprising:

receiving at an automobile device global positioning system information indicating a location of an automobile associated with the weapon reads on '470 (see figs. 6 and 7; page 5, paragraphs 0101-0102; page 6, claim 1).

storing time information and location information to enable a subsequent determination of the time and location of the discharge of the weapon reads on '470 (see page 5, paragraphs 0100-0105). Storing time information would have been inherent to a system that makes use of signals received from a GPS system. But, Auerbach does not explicitly teach about the use of a Bluetooth communication for exchanging information as it relates to a discharge of a weapon, as claimed by applicant. However, in a related field of endeavor, Cannon teaches that a Bluetooth communication system can be connected to a GPS for receiving and providing location information (see fig. 2, elements 102 and 106; page 2, paragraphs 0020-0032, particularly paragraph 0020; page 3, paragraphs 0035-0036). Therefore⁴, it would have

Art Unit: 2683

been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Auerbach with that of Cannon for the advantage of providing a peer-to-peer communication over a short distance of wireless communication without licensing requirements from a regulatory government authorities (see page 1, paragraphs 0006-0007).

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Camp in view of Bark.

As per claim 24: a base device reads on '917 (see fig. 1A, elements 28), comprising:

a processor reads on '917 (see col. 6, lines 25-33).

a wireless communication device adapted to communicate with an event device associated with an occurrence of an event reads on '917 (see col. 3, lines 30-60). The base station/device includes a radio transceiver for wireless communication.

a storage device in communication with said processor and storing instructions adapted to be executed by said processor reads on '917 (see col. 6, lines 15-25) to:

receive information from the event device reads on 917 (see col. 6, line 56-col. 7, line 12). But, Bark does not explicitly teach about a base station comprising a storage device in communication with said base device processor for storing instructions adapted to be executed by said base device processor to determine the location of the base device and store information to enable a subsequent determination of a location associated with the wireless device. However, in a related field of endeavor, Camp teaches about a base station comprising a server for storing GPS location data so as to determine its own location and thereby to determine the location of a wireless device

Art Unit: 2683

associated with the base station (see fig. 1, elements 100, 170 and 180; abstract; col. 2, lines 25-53; col. 4, lines 44-65). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Bark with that of Camp for the advantage of the cellular telephone system to determine the location of a cellular telephone operating within the system (see col. 1, lines 15-27). It is to be noted that when the references are combined as discussed above, a base station will be able to store information that will enable it to determine a location associated with the occurrence of an event at the wireless device/mobile station.

As per claim 25: the apparatus, wherein said storage device further stores an event occurrence database reads on '078 (see fig. 1, elements 100, 170 and 180; col. 4, lines 44-65).

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bark in view of Camp.

As per claim 27: a system, comprising:

a base device reads on '917 (see fig. 1A, elements 28), comprising:

a base device processor reads on '917 (see col. 6, lines 25-33).

a wireless communication device adapted to communicate with an event device associated with an occurrence of an event reads on '917 (see col. 3, lines 30-60), and

receive information from the event device reads on 917 (see col. 6, line 56-col. 7, line 12), and

an event device reads on '917 (see col. 3, lines 30-60), comprising:

an event device processor reads on '917 (see col. 6, lines 15-25),
a wireless communication device adapted to communicate with said base device reads on '917 (see fig. 1A, elements 28 and 30; col. 3, lines 30-60). and
a storage device in communication with said event device processor and storing instructions adapted to be executed by said event processor reads on '917 (see col. 6, lines 15-25) to:

determine that the event has occurred reads on '917 (see col. 3, lines 30-44),
and

transmit information to the base device reads on '917 (see col. 3, lines 37-44),
the information enabling the determination of the location associated with the occurrence of the event reads on '917 (see col. 3, line 55-col. 4, line 3). The phrase "moving into or moving out of a predetermined parameter range" indicates location. But, Bark does not explicitly teach about a base station comprising a storage device in communication with said base device processor for storing instructions adapted to be executed by said base device processor to determine a location of the base device and store information to enable a subsequent determination of a location associated with the wireless device. However, in a related field of endeavor, Camp teaches about a base station comprising a server for storing GPS location data so as to determine its own location and thereby to determine the location of a wireless device associated with the base station (see fig. 1, elements 100, 170 and 180; abstract; col. 2, lines 25-53; col. 4, lines 44-65). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Bark with that of Camp for

Art Unit: 2683

the advantage of the cellular telephone system to determine the location of a cellular telephone operating within the system (see col. 1, lines 15-27). It is to be noted that when the references are combined as discussed above, a base station will be able to store information that will enable it to determine a location associated with the occurrence of an event at the wireless device/mobile station.

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Camp in view of Bark.

As per claim 28: a medium storing instructions adapted to be executed by a processor to perform a method of facilitating a determination of a location associated with an occurrence of an event, said method comprising:

determining a location of a base device, the base device being in wireless communication with a wireless device reads on '078 (see abstract; col. 2, lines 25-58). A cellular telephone is a wireless device.

storing information to enable a subsequent determination of the location associated with the wireless device reads on '078 (see fig. 1, element 170; col. 2, lines 25-58; col. 4, lines 38-43). The server (170) shown in the base station can receive and store GPS generated location data relating to a cellular telephone. But, Camp does not explicitly teach about a cellular telephone being/used as an event device, associated with occurrence of an event and transmitting the event to its base station and the base station receiving the information from the event device. However, in a related field of endeavor, Bark teaches that a mobile station can provide event based or event driven report to a network that controls it (see col. 3, line 30-col. 4, line 40, particularly, col. 3,

lines 30-60). It is obvious that a base station is part of the radio network which interfaces the mobile station's to the network at large. It is also obvious that the event based report transmitted by the mobile station is received by the base station as can be seen from fig. 1 of Bark. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Camp with that of Bark for the advantage of enabling the radio network to promptly and effectively respond to changing conditions (see col. 3, lines 21-24).

Claims 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sharkey et al. (Sharkey) (US 5,504,717) in view of Otto et al. (Otto) (US 5,870,029).

As per claim 29: a method of facilitating a determination of a location associated with an occurrence of an event, comprising:

base device being in wireless communication with an event device associated with the occurrence of the event read on '717 (see col. 3, lines 3-10). In fig. 1, element 20 is a base device and elements 10 can be considered as event devices that detect the firing of a weapon. Both the base device and the event devices are capable of wireless communication.

receiving at the base device event occurrence information from the event device reads on '717 (see col. 2, line 58-col. 3, line 26). The system (particularly the pole unit 10) is capable of detecting and reporting an event as it happens and the report in itself is an indication of an event that took place.

in response to the received event occurrence information, storing information in an event occurrence database reads on '717 (see col. 2, line 58-col. 3, line 17). The

Art Unit: 2683

buffer memory of the pole unit or event device can store information regarding the event including time and localization.

subsequent to the occurrence of the event, retrieving information from the event occurrence database to enable a determination of the time and location associated with the event reads on '717 (see col. 2, line 58-col. 3, line 26; col. 4, lines 54-62). But, Sharkey does not explicitly teach about determining a location of a base device, as claimed by applicant. However, in a related field of endeavor, Otto teaches about a base station/base device that can determine its own geographic location and maintains communication with other devices (see col. 2, lines 40-65; col. 3, lines 8-25). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Sharkey's base station with the teaching of Otto for the advantage of monitoring the locations of mobiles, remote objects, and including people without burdening the monitored objects with bulky or heavy communication equipment (see col. 1, lines 5-11).

As per claim 30: the method wherein the event is associated with at least one of : a discharge of a weapon, an automobile accident, a medical procedure, a competition occurrence, a transaction and a security occurrence reads on '717 (see col. 2, line 58-col. 3, line 26).

As per claim 31: a method, comprising:

a base device being in wireless communication with an event device associated with a user reads on '717 (see col. 3, lines 3-10). In fig. 1, element 20 is a base device

Art Unit: 2683

and elements 10 can be considered as event devices that detect the firing of a weapon.

Both the base device and the event devices are capable of wireless communication.

receiving at the base device a signal from the event device indicating that the user has initiated an event reads on '717 (see col. 2, line 58-col. 3, line 26). The system (particularly the pole unit 10) is capable of detecting and reporting an event as it happens and the report in itself is an indication of an event that took place.

storing information to enable a subsequent determination of a location associated with the event reads on '717 (see col. 4, lines 28-40, lines 54-62). The base station/device 20 includes a computer (capable of storing and processing data) and is capable of locating gunshot events. But, Sharkey does not explicitly teach about determining a location of a base device, as claimed by applicant. However, in a related field of endeavor, Otto teaches about a base station/base device that can determine its own geographic location and maintains communication with other devices (see col. 2, lines 40-65; col. 3, lines 8-25). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Sharkey's base station with the teaching of Otto for the advantage of monitoring the locations of mobiles, remote objects, and including people without burdening the monitored objects with bulky or heavy communication equipment (see col. 1, lines 5-11).

As per claim 32: the method wherein the base device is also associated with the user reads on '029 (see fig. 1, element 20; col. 2, line 40-col. 3, line 25).

Response to Arguments

Applicant's arguments filed 4/9/04 have been fully considered but they are not persuasive. Applicant's arguments and responses by examiner are provided as shown below.

Argument I: with regard to claims 1-21, 24-25 and 27-30, applicant argues by saying "because the references, taken alone, or in combination, do not disclose storing information to enable a subsequent determination of a location associated with an occurrence of an event as recited in these claims, Applicants respectfully request that the rejection be withdrawn.

Response I: as mentioned in the rejection, the '078 reference discloses determination of base station location and a cellular telephone by exchanging data that enables the system to determine the locations of both the base station and the cellular telephone. Both the base station and the cellular telephone include a GPS receiver (see fig. 1, elements 100 and 200; col. 3, line 50-col. 4, line 2). Furthermore, examiner believes that in the '078 reference, location is determined subsequent to the reception and storage of location data by location determining entities, particularly the base station. In fact, there is not way of determining location before receiving location data. However, as mentioned in the rejection of the above claims, the '078 reference doe not discloses about reporting the occurrence of an event. This feature is provided by '917reference as shown in the rejection of the claims. The '917 reference mentions a broad range of events that are being reported based on predetermined triggering conditions. Since both

Art Unit: 2683

of the combined references are within same field of endeavor (wireless / mobile communication system), they can be combined as provided by the obviousness rule.

Hence, the argument is not persuasive.

Argument II: regarding with claims 25 and 29, applicant presents a separate argument by saying "the temporary storage of location information in the '078 patent (and of event information in '917 patent) at a local register or memory unit while a calculation is performed should not be considered as storing the information in an "event occurrence database" to allow a subsequent determination of a location associated with the occurrence of an event. Nothing in the portions of the '078 patent cited in the Office Action ---- supports such an interpretation."

Response II: examiner respectfully disagrees. The '078 base station or the server therein is capable of storing GPS information or /and location data that enables the base station to subsequently determine the location of its own and the cellular phone under its coverage area. When the cellular phone in the '078 patent is modified to include an event reporting capability (as taught in the reference '917), this report would have been received, stored and processed by the base station so as to determine the location of the event reporting cellular phone.

Argument III: with regard to claim 18, applicant argues by saying there is not suggestion in any reference that the base station might store information such that a location of a competition event could later be determine.

Response III: examiner respectfully disagrees with the argument. First, the base station of the prior art has clearly been shown as being capable of receiving and storing

Art Unit: 2683

location data and subsequently determining its own or/and that of a cellular telephone.

Furthermore, it is also shown that the '078 cellular phone can be made/modified to include event reporting capability as taught by the reference '917. As far as the event device being a competition device, and the event a competition event, examiner, as shown in the rejection, believes that it is known in the art that mobile or wireless telephones include competitive game programs. Second, it also need to be noted that the feature, -- "such that a location of a competition event could later be determined", was not claimed in such a manner in the above claims.

Argument IV: with regard to claim 19, applicant argues by saying there is not suggestion in any reference that the base station could store information such that a location of a medical event could later be determine.

Response IV: examiner respectfully disagrees with the argument. First, the base station of the prior art has clearly been shown as being capable of receiving and storing location data and subsequently determining its own or/and that of a cellular telephone. Furthermore, it is also shown that the '078 cellular phone can be made/modified to include event reporting capability as taught by the reference '917. As far as the device is being a medical device and the event, a medical event, examiner, as shown in the rejection, asserts that a cellular telephone can be assumed as a medical device when it is involved in medical information/event reporting. Second, it also need to be noted that the feature, -- "such that the location of a medical event could later be determined", was not featured in claim 19 in such a manner.

Art Unit: 2683

Argument V: with regard to claim 20, applicant argues by saying there is not suggestion that the event is a “security event” and the base station could store information such that the location of a security event could later be determine.

Response V: examiner respectfully disagrees with the argument. First, the base station of the prior art has clearly been shown as being capable of receiving and storing location data and subsequently determining its own or/and that of a cellular telephone. Furthermore, it is also shown that the ‘078 cellular phone can be made/modified to include event reporting capability as taught by the reference ‘917. As far as the device is being a medical device and the event, a medical event, examiner, as shown in the rejection, asserts that a cellular telephone can be assumed as a medical device when it is involved in medical information/event reporting. Second, it also need to be noted that the feature, -- “such that the location of a medical event could later be determined”, was not featured in claim 20 in such a manner.

Argument VI: regarding claim 22, applicant asserts that Auerbach does not disclose “receiving information from the weapon via a Bluetooth communication.” There is no reason to think that a perpetrator would use a Bluetooth enabled gun that transmits information to devices mounted in police vehicles. Because a perpetrator would be unlikely to use such a weapon, the system Auerbach would be rendered unsatisfactory for its intended purpose if it was modified in this way (e.g., the police would be unable to respond to gunshots fired by perpetrators).

Response VI: examiner respectfully disagrees with the argument. The Bluetooth (shown by Cannon) is incorporated into a GPS information receiver for utilizing the GPS

Art Unit: 2683

location information in a short range wireless communication called piconet for the exchange of security event information. It is in this aspect of and in this manner that the Cannon Bluetooth is used to modify the Auerbach system.

Argument VII: regarding the new claims 31-32, applicant argues by saying "a signal from the event device indicating that the user has initiated an event", which is in contrast to the '917 reference which is directed to radio signal characteristics not initiated by a user.

Response VII: the new claims 31-32 are rejected on new ground of rejection and motivation based on references (US 5,504,717 and 5,870,029). The reference,'717 is directed to gunshot which must be initiated by a user.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2683

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Meless Zewdu

A. Z.

Examiner

18 June 2004.



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600